

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

---

ANGELA MOORE,

Plaintiff,

v.

No. CIV 01-1079 WJ/JHG

THE CONNECTION,

Defendants.

**MEMORANDUM OPINION AND ORDER GRANTING**  
**DEFENDANT'S MOTION TO STRIKE PLAINTIFF'S SURREPLY**

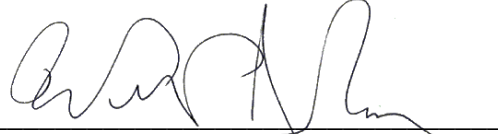
THIS MATTER comes before the Court pursuant to Defendant's Motion to Strike Plaintiff's Surreply to Defendant's Motion for Summary Judgment [Docket No. 52]. Plaintiff has not responded to this motion. However, the Court finds that a response is not necessary to address the motion. Plaintiff has previously filed surreplies in this case. On July 9, 2002, Magistrate Judge Galvan entered an Order [Docket No. 41] striking Plaintiff's surreplies on the basis that D.N.M.LR-Civ. 7.6(b) does not permit surreplies without leave of the court. Thus, Plaintiff was on notice before filing the surreply at issue in this motion that surreplies are not permitted. Having reviewed the record in this case, the Court finds that the motion is well taken and shall be granted.

Defendant filed a motion for summary judgment on June 4, 2002. Plaintiff filed her response to this motion on June 25, 2002. Defendant filed a Reply on July 9, 2002. Defendant's Reply was the last word permitted on the motion. Plaintiff filed an opposition to the reply on July

19, 2002. This is clearly a surreply. Plaintiff did not have leave of this Court to file the surreply.

Thus, the surreply will be stricken and will not be considered by the Court.

IT IS THEREFORE ORDERED that Defendant's Motion to Strike Plaintiff's Surreply to Defendant's Motion for Summary Judgment [Docket No. 52] is hereby GRANTED.

A handwritten signature in black ink, appearing to be "A. D. H.", written over a horizontal line.

UNITED STATES DISTRICT JUDGE